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8 UNITED STATES DISTRICT COURT OF CALIFORNIA
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 SURF AND SAND, LLC, a California
12 Limited Liability Company,

13 Plaintiff,

14 v.

15 CITY OF CAPITOLA; and DOES 1
through 100, inclusive,

16 Defendants.
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Case No.: C07 05043 RS

Judge: Hon. Richard Seeborg
Dept.: Ctrm. 4

**NOTICE OF APPEAL TO THE
UNITED STATES COURT OF
APPEAL FOR THE NINTH
CIRCUIT**

1st Amended Complaint
Filed: March 3, 2008
Trial Date: None Set

HART, KING & COLDREN
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200 SANDPOINTE, FOURTH FLOOR
SANTA ANA, CALIFORNIA 92707

FAXED

1 Plaintiff Surf and Sand, LLC, a California limited liability company
 2 ("Plaintiff") appeals to the United States Court of Appeal for the Ninth Circuit from
 3 the Order Granting Defendant City of Capitola's Motion to Dismiss ("Order") entered
 4 in this action on May 28, 2008. The Representation Statement is attached to this
 5 notice as Exhibit "1" pursuant to FRAP 12(b), and Circuit Rules 3-2(b) & 12-2. A
 6 copy of the Order is attached to this notice as Exhibit "2".

7
 8 Dated: June 23, 2008

HART, KING & COLDREN

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 10
 11 By: 

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 SURF AND SAND, LLC

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